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TAGS: [PHUM](#) [PGOV](#) [UP](#)
SUBJECT: UKRAINE: MIGRATION AUTHORITY TRANSFERRED TO MOI

REF: KYIV 924

Classified By: Acting PolCons Robert Scott for reasons 1.4 (b) and (d).

¶1. (C) Summary: On June 18, the Cabinet of Ministers issued a decree transferring authority on asylum issues from the State Committee on Nationalities and Religion (SCNR) to the Ministry of Interior (MOI). UNHCR Kyiv, which has taken a neutral position on the change, told us that although the MOI lacks expertise and may have difficulty recruiting migration experts from the SCNR, it has significantly more resources and a better organizational structure to handle migration matters. UNHCR was not aware of facts surrounding recent allegations of corruption at the SCNR, but noted the speedy granting of refugee status to a Russian criminal figure in June stood in stark contrast to the long wait most asylum seekers face.

¶2. (C) Comment: Ukraine's migration system has lacked a clear single authority to address asylum issues for more than two years, which has left most asylum seekers facing long delays and low acceptance rates. The shift to MOI could potentially streamline asylum processing, but we agree with UNHCR that asylum seekers will likely see no improvements in the coming months, and may even face more delays, while the MOI establishes its migration department. End Summary and Comment.

Decree Transfers Authority to MOI

¶3. (U) On June 18, the Cabinet of Ministers issued a decree transferring authority on asylum issues from the State Committee on Nationalities and Religion to the Ministry of Interior. The decree specifically designated the MOI as the authority on migration issues per Ukrainian legislation and coordinator of government agencies for implementation of state migration policy. The former State Department for Citizenship, Immigration, and Registration (OVIR) was renamed the State Department of Migration Services, and will take over direct control of asylum issues at the MOI. The decree also transferred authority of all temporary accommodation centers (TACs) for refugees to the MOI and handed over responsibility for migration services in Crimea, Kyiv, Sevastopol, and regional migration services to the State Department of Migration Services. The decree directed the SCNR to propose legislative amendments for the transfer of its migration functions to the Cabinet of Ministers by September 1, 2008.

UNHCR Sees Pros and Cons, Long Waits for Refugees

¶4. (C) UNHCR Kyiv Protection Officer Kate Pooler told Emboff on June 25 that the move had been under consideration for several months and that the SCNR had asked UNHCR Kyiv to support its efforts to maintain control over migration issues, but that the UNHCR had demurred. The SCNR told her, as recently as June 16, that it expected to maintain control

over migration policy and she was surprised by the timing of the June 18 decree. She outlined the pros and cons of the move, noting that in the short term little will likely change for asylum seekers. She added that the transition period could prove to be difficult for asylum seekers, who potentially face a period of limbo in case processing while the required legislative amendments are approved by the Rada, and while the MOI stands up its migration department.

¶5. (C) On the positive side, Pooler noted that MOI has a better organizational structure and more resources than the SCNR. She hoped that it could put its training academy, public affairs department, and experience with readmission issues to good use in handling its new responsibilities. On the negative side, she said that the MOI is permeated with a police mentality, a source of concern to human rights observers, and that it lacks experts in asylum/refugee issues. Although the MOI expressed intentions to hire migration experts from the SCNR, Pooler doubted that many of them, either in Kyiv or the regions, would want to work for the MOI.

¶6. (C) Pooler observed that the timing of the decree coincided with the SCNR's recently appointed head, Oleksandr Sagan, coming under scrutiny because of allegations of corruption. Although she said that UNHCR had no knowledge of the facts surrounding allegations posted on an investigative website, claiming that Sagan accepted a \$2.5 million bribe to grant refugee status to Rovshan Janiev, a Russian national with an alleged criminal past, she noted that the apparent ease and speed with which Janiev received refugee status stood in stark contrast to the long wait most asylum seekers face. Sagan has publicly denied these allegations and other recent media reports that he was involved in smuggling goods from Poland labeled by the SCNR as humanitarian assistance, but which on closer inspection allegedly turned out to be high-end fashion items and consumer goods.

¶7. (U) Visit Embassy Kyiv's classified website:

www.state.sgov.gov/p/eur/kiev.

TAYLOR